GOVERNMENT OF INDIA
HEALTH AND FAMILY WELFARE
LOK SABHA

UNSTARRED QUESTION NO:263
ANSWERED ON:20.11.2002
MONITORING SALE OF SPURIOUS DRUGS
KINJARAPU YERRANNAIDU;NARESH KUMAR PUGLIA;SHYAMA SINGH

Will the Minister of HEALTH AND FAMILY WELFARE be pleased to state:

(a) whether the Government have constituted a committee to monitor the sale of spurious drugs in the country;

(b) if so, the details thereof alongwith composition of the members of the committee and its terms and references;

(c) whether the Government have decided to amend the law regarding spurious drugs; and

(d) if so, the details thereof?

Answer

THE MINISTER OF STATE IN THE MINISTRY OF HEALTH AND FAMILY WELFARE (SHRI A. RAJA)

(a): Yes, Sir. Union Ministry of Health appointed a Committee under the chairmanship of Director General of Health Services to suggest remedial measures to combat menace of manufacture and sale of spurious drugs/fake medicines.

(b): The composition of the Members of the Committee consisted of State Drugs Regulatory Authorities, Central Drugs Standard Control, Pharma Industry,IndianDrugs Manufacture Association, Organisation of Pharmaceutical Producers of India, All India Chemists and Druggists Association, eminent representative of public etc. The Committee was asked to suggest remedial measures to combat menace of manufacture and sale of spurious drugs/fake medicines.

(c) & (d) Under the provisions of Drugs and Cosmetics Act and Rules thereunder, Section 27 of the said Act prescribes penalty for manufacture, sale etc. of drugs. Any drug deemed to be adulterated under Section 17 A or spurious under Section 17 B or which when used by any person or in the diagnosis, treatment, mitigation or prevention of any disease or disorder is likely to cause his death or is likely to cause such harm on his body as would amount to grievous hurt within the meaning of Section 320 of IPC solely on account of such drug being adulterated as spurious or not of standard quality, as the case may be, shall be punishable with the imprisonment for a term which shall not be less than 5 year but which may extend to a term of life and with fine which shall not be less than Rs.10,000. Thus adequate punitive penal provision exist in the said Act to tackle manufacture and sale of spurious drug.